

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

STEVE ANCTIL, JR.,)
)
Plaintiff,)
)
v.) 1:16-cv-00107-JAW
)
COMMISSIONER JOSEPH)
FITZPATRICK, et al.,)
)
Defendants.)

**ORDER ON MOTION TO REQUEST EXTENSION OF TIME TO FILE
OBJECTION TO RECOMMENDED DECISION**

On February 24, 2016, Steve Anctil, Jr. filed a complaint against several employees of the state of Maine prison system, alleging they wrongfully dismissed, denied, failed to investigate and failed to respond to his grievances while he has been an inmate. *Compl.* (ECF No. 1). On April 6, 2016, Mr. Anctil moved to amend the complaint, *Pl.'s Mot. for Leave to File an Am. Compl.* (ECF No. 16), and on April 28, 2016, the Magistrate Judge granted the motion to amend complaint. *Order Granting Mot. to Am. Compl.* (ECF No. 23). The First Amended Complaint thereby became the operative pleading. *Am. Compl.* (ECF No. 24). On May 31, 2016, the Magistrate Judge issued a recommended decision in which he recommended to the Court to dismiss the First Amended Complaint unless Mr. Anctil further amended his complaint within fourteen days. *Recommended Decision After Screening Am. Compl.* (ECF No. 25). On June 16, 2016, Mr. Anctil objected to the Magistrate Judge's

recommended decision. *Pl.'s Obj. to Recommended Decision After Screening Am. Compl.* (ECF No. 28).

Meanwhile Mr. Anctil moved for an extension of time to file a second amended complaint on June 16, 2016, *Letter Mot. to Extend Time to File Am. Compl.* (ECF No. 29), and the Magistrate Judge granted the motion for extension on June 21, 2016. *Order* (ECF No. 30). On July 7, 2016, Mr. Anctil filed a second amended complaint, *Second Am. Compl.* (ECF No. 31). On October 24, 2016, the Magistrate Judge filed a recommended decision in which he recommended that the Second Amended Complaint be dismissed with the exception of one claim that Mr. Anctil had asserted against Deputy Warden Troy Ross. *Recommended Decision After Screening Compl. Pursuant to 28 U.S.C. §§ 1915(e), 1915A* (ECF No. 36). On February 6, 2017, the Court granted Mr. Anctil an extension of time to February 17, 2017 within which to file an objection to the October 24, 2016 recommended decision. *Order* (ECF No. 50). On February 28, 2017, Mr. Anctil filed an objection to the October 24, 2016 recommended decision. *Pl.'s Obj. to Recommended Decision* (ECF No. 54).

On January 20, 2017, Mr. Anctil moved for leave to file a supplemental pleading. *Mot. to Req. Leave to Supplement Pleadings* (ECF No. 46). On February 23, 2017, the Magistrate Judge issued an order recommending to this Court that the January 20, 2017 motion for leave to file a supplemental pleading be denied as futile. *Recommended Decision on Pl.'s Mot. for Leave to Am.* (ECF No. 53). On March 13, 2017, Mr. Anctil moved to extend the time within which to file an objection to the Magistrate Judge's February 23, 2017 order. *Pl.'s Req. for Enlargement of Time* (ECF

No. 57). The March 13, 2017 motion was granted on March 14, 2017, extending the time for objection to the February 23, 2017 order to April 20, 2017. *Order* (ECF No. 58).

Finally, on April 24, 2017, Mr. Anctil moved for a further extension of time. *Pl.’s Mot. to Req. Enlargement of Time to File Obj. to Recommended Decision* (ECF No. 63). In his motion, Mr. Anctil recites the difficulty he has experienced gaining access to LexisNexis within the Maine State Prison. *Id.* He asks for “a reasonable amount of time to file an objection to the Recommended Decision.” *Id.* at 2. But Mr. Anctil does not suggest what “a reasonable amount of time” he is requesting. *Id.* at 1-2.

The Court wishes to accommodate Mr. Anctil’s need for legal research to file a proper objection to the February 23, 2017 recommended decision. At the same time, the Court observes that this case has been pending since February 24, 2016 and it remains true that justice delayed is justice denied not only for Mr. Anctil but also for the Defendants against whom Mr. Anctil wishes to proceed. Memories fade, documents become unavailable, and the case becomes more difficult to prosecute and defend. In light of the history of this case, the Court will extend the time to file an objection to the February 23, 2017 recommended decision for twenty-eight days after April 20, 2017 or until May 19, 2017. The Court cautions Mr. Anctil that this extension of time to file an objection to the February 23, 2017 recommended decision will be the last.

The Court GRANTS Plaintiff's Motion to Request Enlargement of Time to File Objection to Recommended Decision (ECF No. 63). The Plaintiff's Objection will be due on or before May 19, 2017.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 27th day of April, 2017